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City Document.—No. 11.

REPORT
OF THE
JOINT SPECIAL COMMITTEE
ON
PUBLIC SQUARES,
AND
THE NUISANCE IN STONY BROOK.



ROXBURY:
NORFOLK COUNTY JOURNAL PRESS.
THOMAS PRINCE, CITY PRINTER.
1851.

CITY OF ROXBURY.

In Common Council, August 4, 1851.

ORDERED, That a Joint Special Committee be appointed to ascertain if any suitable parcels of land can be procured for one or more Public Squares, and if so, upon what terms and conditions they can be obtained.

Passed and sent up for concurrence, and

Messrs. BREWER,

H. WILLIAMS, and

SWEAT, appointed on the part of the Common Council.

JOSHUA SEAVER, *Clerk.*

In Board of Aldermen, August 4, 1851.

Concurred, and

Aldermen JACKSON, and

HALL, joined on the part of this Board.

JOSEPH W. TUCKER, *City Clerk.*

In Common Council, October 20, 1851.

ORDERED, That the Report of the Joint Special Committee on Public Squares be printed and distributed among the inhabitants of this city.

Passed and sent up for concurrence.

JOSHUA SEAVER, *Clerk.*

In Board of Aldermen, October 20, 1851.

Concurred.

JOSEPH W. TUCKER, *City Clerk.*

R E P O R T .

THE Special Joint Committee, appointed under an order of the City Council, August 4th, to ascertain if any suitable parcels of land could be procured for one or more Public Squares, and if so, upon what terms and conditions—and to whom was referred the Message of the Mayor, and sundry papers relating to a nuisance in Stony Brook, have considered the same and respectfully

REPORT—(IN PART.)

The time has arrived when an effort should be made by those into whose hands the fiscal, prudential and municipal affairs of the city have been committed, to obtain suitable tracts of land to be set apart for Public Squares. The importance of having in every populous town large open squares as lungs to the city, will be admitted by all. They are needed by all classes who spend their days amid the wearing and unwholesome din and dust of close rooms and crowded streets—needed for air, for healthful recreation and exercise, and refreshment.

A city that is expected to become dense and large, usually makes early provision for such open squares or parks, for it is only at an early period of a city's growth, that they can be obtained, sufficiently ample, in sufficient numbers, and

in central situations, so as to be easily accessible to all. At an early period they are not wanted, and at a late period they cannot be had. It is a subject on which it is necessary to anticipate and be wise in time.

Some twenty years since a Public Square or Common might have been obtained for a very small sum, which would have been an honor and an ornament to our city. We allude to the tract of high land of about thirty acres, lying between Centre and Highland streets, and known as the "Forts." This property, the committee understand, could have been obtained for about \$3500, and was actually offered to the town authorities. An effort was made to induce the town to purchase this spot, but it was frowned down by the *economical* portion of the people, who seemed to think that *true* economy consisted in merely providing for the present, and that, too, on a very small scale, and letting the future take care of itself. Since the purchase of this property by Mr. Alvah Kittredge, an opportunity was again offered to the town to secure it for a very reasonable sum, but there did not appear to be any disposition to favor the project.

If those who managed the affairs of the town at the time alluded to, or even if their successors in office in subsequent years, had looked into the future and dared to be visionary, we should have had open areas of good extent and centrally situated, at a very small cost; and the people of this day would gladly have paid the cost and interest, which would have been far less than what we shall now be obliged to pay, and transmit the debt to posterity. But there does not seem to have been a disposition on the part of either the authorities or the people to encourage public improvements, especially of this kind. They seem to have acted upon the principle of that public functionary—and possibly he resided in Roxbury—who gave as an excuse for not favoring a measure, whose benefits were not to be immediately felt, "that we should do nothing for posterity, as posterity had never done anything for us!"

The Committee believe that the people of this city are

decidedly in favor of public improvements. They desire that something should be done—and that speedily—to furnish them with suitable Public Squares. There may be those who lag behind the age, and oppose all public improvements, of whatever name or nature; if there be any such, their number is very small, and they must be regarded,—certainly in this age and in these times,—as specimens of an extinct race, whose day and generation have long since passed by.

Our city is capable of being made one of the most beautiful and attractive in the land. And why should it not be so? Why should we not commence the work forthwith? We need only to make the effort to accomplish this. It can be done in our own way, under our own direction, in our own time, and by our own means. Let us make the effort, and we shall bring the benedictions of posterity upon the memory of this generation.

Since the change in our municipal form of government, much has been done to improve the condition of the city. Our schools and school houses have kept pace with the times, and are equal to any in the Commonwealth; our streets and highways have been greatly improved, and kept in better repair than formerly; many miles of sidewalk have been constructed, and many more are required and will be done in good time; our police system has been re-organized, and our officers are active, watchful and vigilant; our fire department is under good discipline, well conducted, orderly and efficient; we have made ample and better provision for our pauper establishment, by the purchase of the Brook Farm, and are now providing the necessary buildings there; we have purchased a large tract of land, and laid out the beautiful Cemetery at Forest Hills, and consecrated it to its sacred purposes;—we have done these things and much more, and we should now turn our attention to other matters, which have an important bearing upon the future welfare, happiness and condition of the people of this city, and which ought not to be delayed any longer, and if delayed, the consequences may prove more injurious than we can now anticipate.

The subject of Public Squares was brought to the attention of the government by our late Mayor. In his inaugural address, delivered April 5th, 1847, Mayor Dearborn said:—

“As the health of the city does not more depend upon its cleanliness than a free circulation of pure air, it has been the enlightened and sanitary policy of all governments to reserve areas of land, in the midst of their populous capitals, commercial emporiums, and interior cities, as spacious reservoirs of that vital element, for the perpetual replenishment of the numerous streets which diverge from them, as well as appropriate places of exercise and innocent recreation, for all classes of people.

“If the prospective destinies of Roxbury may be conjectured, from the rapid increase of population during the past fifteen years, the number must be augmented to at least one hundred thousand, before the close of the present century. Does it not then merit inquiry, whether sufficient land should not be obtained in each of the parochial divisions of the city, for the purpose of being gradually formed into public squares, by the erection of enclosures, the construction of avenues, and the planting of trees? It may be alleged, that even the expense of the purchase of the land will be too onerous upon the existing generation; but could not such an arrangement be made, as that most of it can be transferred to those of after ages for liquidation, since they cannot but be grateful for the precious advantages which will thus be secured to them by the prescience and beneficent exertions of their ancestors; while, on the other hand, would they not have just cause of complaint, should the most favorable opportunity of extending to them such an important benefit, be utterly neglected.”

And again in his inaugural, April 3d, 1848:—

“Although it has not been practicable to obtain land in such quantities and situations as would best subserve the various purposes of public squares; yet a site has been designated, on the hill west of Highland street, by a committee to whom that subject was referred, which is worthy the most serious consideration; for it will afford not only a pleasant promenade, and from its commanding elevation a most extensive and interesting prospect, which is richly diversified with objects of exceeding beauty and grandeur,

and historical celebrity; but includes one of those renowned military works which were constructed by the Revolutionary Army, during the investment of Boston, while that city was occupied by the British troops."

A committee was appointed in 1848, on so much of the Mayor's address as related to Public Squares, and that committee submitted a report, recommending the purchase the Forts alluded to by the Mayor, in rear of the residences of David A. and Thomas Simmons, on Highland street, and they were authorized to ascertain and report the cost of the same. But it does not appear that any further action was had at that time, in reference to Public Squares, or since, until the appointment of your Committee in August last.

The Committee have given this subject a careful examination, and are now prepared to submit, in part, the result of their deliberations.

They would recommend that a tract of land be purchased in Ward 3, (provided it can be obtained on satisfactory terms,) and a portion of the same be laid out as a Public Square. The tract of land proposed is situated between Tremont and Ruggles streets, and north east of a line commencing on Ruggles, near Vernon street, to the foot bridge across Stony Brook, thence across said bridge to Tremont street; containing by measurement, seven acres, three quarters, nine rods, or 342,800 feet; four acres, twenty-five and a half rods, or 181,000 feet, of which is upland, and three and one half acres, and thirty-three rods, or 161,000 feet, is water, or flats covered with water.

The Committee consider this proposed square as first in importance to all others, and the reasons which have induced them to recommend the purchase of this territory, will be apparent to those who are familiar with the locality, without requiring the Committee to give them in detail.

For a long time past, the flats lying within the area described, have been very offensive both to eye and nostril, and have continually grown more and more so every year, until the stench arising from them has become insufferable

and beyond endurance. The causes of this are given in the opinion of the Consulting Physicians.

The inhabitants residing in that section of the city, have been induced to make one more effort to rid themselves and the city of what has been considered by them for several years, a great nuisance, the like of which cannot be found in the city, or any where else, within the knowledge of your Committee, (or to use the language of one of them, "on this terrestrial globe.") Efforts have heretofore been made by the inhabitants, to have this abated, but without avail. In consequence of the complaints and representations made to the members of the city government, by persons residing in the vicinity, and by others who have occasion to pass through that region, an order was introduced and adopted by the City Council, requesting the opinion of the Consulting Physicians, as to the present condition of the Brook near Ruggles street, so far as it relates to, or affects the public health.

The Consulting Physicians made an examination and submitted their opinion, and the attention of the City Council is respectfully directed to it, which is as follows:—

Roxbury, August 30th, 1851.

The Consulting Physicians of the City of Roxbury, having been requested, by a vote of the City Council, to express their opinion in regard to the present condition of Stony Brook, near Ruggles street, so far as it relates to, or affects the public health, beg leave to submit the following Report.

They have visited the above named premises and have given them a careful inspection. They find that the waters of what is called "Stony Brook," are so obstructed by the building of the Mill Dam, and of the bridges on Tremont and Ruggles streets, that what was formerly a running stream, is now little better than a stagnant pool, a mere receptacle of the waste matters thrown off from various establishments, situated on the stream above. Carpet factories, tan yards, starch factories, and stables, probably all contribute in pretty equal proportions to form a large and constantly increasing mass of decaying animal and vegetable matter, daily deposited in that portion of the "Brook,"

bordering on Ruggles street, and little if any of this deposit is ever carried beyond this point.

When, as occasionally happens, the water is drawn off, by opening the gates of the Mill Dam, the whole is exposed to the action of the sun, not sufficiently long to dry it, but only to increase the fermentation and to produce a rapid exhalation of offensive and unhealthy vapors.

The Board of Physicians are decidedly of opinion that the condition of "Stony Brook," at this point, cannot but have a prejudicial effect on the health of all who live within its influence.

It may at times be a direct cause of disease, and, at any rate, must at all times so far impair the vigor of the human system, as to render it more susceptible to those unknown atmospheric influences which produce disease; and if typhoid fever, dysentery, scarlet fever, &c., should at any time be extensively epidemic, it would be in a district like this, that Physicians would expect to meet cases, the most frequent, most fatal, and least amenable to medical treatment.

There are other considerations which might be urged, to call the attention of the city authorities to this subject, arising from the interruption to the comfort of all who live near it, or pass by it, and the mortification which every citizen must feel, that an abomination so offensive to eye and nostril, should be permitted to continue and to increase, year after year, without any attempt being made for its removal.

The Board of Physicians, however, restrict themselves to the vote of the Council, and in conformity to that vote, respectfully report,—that they consider the present state of Stony Brook, near Ruggles street, as decidedly prejudicial to the public health, and demanding the immediate attention of the city authorities.

HENRY BARTLETT,
CHARLES M. WINDSHIP,
JOHN SYDENHAM FLINT.

Upon receiving this opinion, the City Council referred the whole matter to the Board of Health—which is the Board of Mayor and Aldermen—and adopted the following preamble and order :

Whereas, The Consulting Physicians have expressed the opinion that Stony Brook, near Ruggles street, is in a con-

dition which is prejudicial to the public health, and demands the immediate attention of the city authorities, it is therefore,

Ordered, That the Board of Health be requested to take the matter into immediate consideration, and to adopt such measures in relation to the same as the preservation of the public health may demand."

The Board of Health immediately set about an investigation. Persons residing in the vicinity of, or doing business, near the stream, were notified to appear before the Board, to give in their testimony concerning the condition of the brook, or of any nuisance or source of filth therein. Handbills were distributed and posted, calling upon all persons who were interested to appear before the Board, if they desired so to do, and be heard in relation to the matter. The testimony before the Board was full and conclusive. They then visited the premises, and after making a thorough and careful examination, they unanimously declared, "*That Stony Brook, between the bridge on Tremont street and White's Mill, situated on Washington street, is in a state of Nuisance, and injurious to the health of the inhabitants of this city—and it is the duty of this Board to cause the same to be abated forthwith.*"

The action of the Board was transmitted to both branches by the Mayor, on Monday evening, October 13, and referred to this Committee, and will be found appended to this report, to which the attention of the City Council is respectfully directed.

How shall this Nuisance be abated? is a question that has occupied the attention of the Board of Health, as will be seen by reference to the documents above alluded to. The Committee regard it as not only the *right* of the Board of Health to remove or abate any nuisance that injuriously affects the public health, but their *imperative duty* to do so, and that they have the power to decide *in what manner* it shall be done is made a settled point, by the decision of the highest court in this Commonwealth.

In the opinion of the Board of Health, the most effectual

way to abate this nuisance is by changing the course of the stream through a new channel of about eighteen or twenty feet in width, beginning at a point near to the Foot bridge, as indicated upon the accompanying plan, and extending in a slightly curved line to the arches of the bridge on Tremont street—a distance of about 560 feet—and causing the channel to be discontinued and the flats upon both sides to be filled up. Another mode suggested itself to the Board—that of contracting the width of the channel, following its present course, both above and below the Foot bridge, to the bridge on Tremont street, to about eighteen or twenty feet, covering the same, so as to form a culvert, and filling up the flats on both sides.

The objections to this latter mode seem to be of such weight and character, as would not warrant any attempt to abate the nuisance in this manner, as practicable. It is represented that the exact lines of the channel cannot be accurately found, and consequently the true lines of the abutting estates on either side of the channel could not easily be defined: and should this mode be deemed the most judicious, it is feared that the object to be attained could not be so effectually accomplished as by the other plan; while the city would come in collision with nearly all the abutting owners, and the result might be a score or two of lawsuits, which even if the city should prevail, are certainly not to be desired, and should be, if possible, avoided.

It would seem, therefore, in the opinion of the Committee, that the most feasible and effectual way of remedying all the difficulties which exist here, is the plan which is approved by the Board of Health, *to wit*, that of changing the course of the stream from the Foot bridge through a culvert to the arches of the Tremont street bridge, and filling up the old channel or stream and the flats surrounding. To do this, it would become necessary for the city to possess the property here, so as to avoid any interference with individual rights, or the claimed or presumed rights of parties interested in property in this region, unless the assent of all the parties interested or supposed to be interested here

could be obtained, which your committee understand is far from being probable. This course, under all the circumstances, would seem the wisest and most judicious, as it is, without doubt, the most economical. Two objects are gained by it—the removal of a nuisance, declared to be dangerous to the public health, and the location of a Public Square, which will be an ornament to that section of the city.

To facilitate this desirable object, the Committee, some time since, took measures to ascertain what would be the probable cost of the land embraced in the area already described, and they are enabled to state that, through the efforts of gentlemen friendly to this, as well as to other judicious public improvements, they have obtained bonds from nearly all the owners, and where bonds have not been obtained, an agreement to sell and convey, and abide by the decision of referees appointed in the usual manner, as to the value of the land, has been taken.

An estimate of the cost of constructing the culvert, filling up the channel, flats, and upland has been made by an able and experienced engineer. His estimate is based upon a calculation for a culvert composed of two arches of ten feet span and four feet rise each, resting on an pile foundation, where such an one is required, and the bottom of the water way paved. In regard to the filling, the estimate is based upon the supposition that the earth is to be hauled from Dedham Low Plains by the Boston and Providence Railroad Company, the company furnishing the cars and engines. The earth, labor for excavating, dumping, and spreading, also the track from the railroad to Ruggles street, and the removal of a portion of the same from time to time as may be required, to be done by the city.

A considerable reduction can be made in this estimate, if the earth can be obtained within a mile and a half, and hauled by horse power.

The inhabitants residing in the vicinity have manifested an earnest desire in behalf of this project, and the Committee have assurances that the sum of ten thousand dollars, or

thereabouts, will be subscribed by them and placed at the disposal of the city. It will be for the City Council to determine whether this shall be received or not, as it doubtless will be given upon the condition that the grounds shall be forever kept open, and for a public square.

The Committee believe that this territory can be purchased, and the filling up and grading the same, constructing the culvert, &c., for a sum not exceeding \$70,000.

They estimate the cost of 342,800 feet of land,
say at, - - - - - \$50,000

Deduct for sale of buildings, say, - . \$5000

The Committee think that the cost of abating the nuisance, *which must be done*, ought also to be deducted from the cost of the land. This they estimate at \$10,000, as the smallest sum for which it can be done in any other way,—not taking into account any law suits that may arise therefrom. - - - - - \$10,000

Making, - - - - - 15,000

Leaving the cost of the land, after deducting for sale of buildings and abating the nuisance, about *ten and a quarter cents per foot*, or, - 35,000
Cost of culvert, 560 feet long, - - - - - 5,936
Cost of filling, - - - - - 14,252

Making the cost of land, after constructing the culvert, filling up and grading, about *sixteen cents per foot*, or, - - - - - 55,188

Now, if a portion of this land should be sold, say, 139,200 feet, at 33 1-3 per foot, it would give, - - - - - 46,400

And would leave 203,600 feet at a cost of about *four and a half cents per foot*, or, - - - - - \$9,162

The utility of public lots, set apart for the public use in various portions of a place which is already, or is likely to

become, densely populated, is sufficiently obvious even where the cost is considerable in amount, and the pecuniary demand somewhat severe. But, certainly, it is much more incumbent upon a government to make such provision, when it can be done on such terms, that, for a long course of years, in all probability, the lands purchased can at any time be sold for cost and interest, if it is found that they are really not needed for public use, or if the exigencies of the case require their sale in order to meet the payments promised for them.

We will illustrate this position by the case now in hand. Setting aside the fact that the property in question, in its present condition, is not only a disgrace to the city, but is really a public nuisance,—and has been declared such by the Board of Health, and must be abated,—we proceed to show that the purchase and disposition of it in the manner proposed by the committee, is really a good operation in a financial view.

In the first place it will be readily conceded on all hands that the simple fact of converting this great basin of filth, this nursery of disease, into a place of beauty and a promoter of health, will greatly enhance the value of all the property in its vicinity. It will lead to the erection of better dwellings, and in many cases to the introduction of a different class of people, thus increasing the aggregate wealth of the city, and at the same time purify its moral atmosphere as well.

And in the second place, after selling a portion of the property, say for instance, 139,200 feet, there will remain about 203,600 feet, or *four and one half acres and twenty-seven and one half rods* of valuable land, for which the city will owe a debt of \$9,162, making a cost of about *four and a half cents per foot*. Now we believe that, in a few years, the valuation of the property around that square will be nearly, if not quite, sufficient to pay the interest on the debt; so that no burden will arise from it in that respect, and we are very certain, that if at any time in the next twenty years, our successors in office should come to the conclusion that

it is not required for the public good that it should be kept open, the land may be put into the market, and sold for the cost and interest at least, and probably for a large profit.

It seems to us therefore, that the duty of the present government in this matter, is too plain to admit of a doubt. We may turn deformity into beauty, and a reservoir of disease into a place of purity. We may increase the value of their property to a large number of our fellow citizens, enabling them in effect to pay the annual interest, or a considerable portion of it, on the cost, and we shall leave to those who come after us, a valuable property burdened with a debt, with the option to pay that debt by a sale of the property itself, or otherwise, as to them shall seem best. In short, we shall accomplish a great positive good without laying any burdens upon ourselves, and without contracting a debt for those who come after us, which we do not also leave them ample means to pay, if they choose to avail themselves thereof.

In view of these considerations, the Committee would recommend the adoption of the accompanying Order.

All which is respectfully submitted.

DANIEL JACKSON,

HIRAM HALL,

JOSEPH N. BREWER,

THATCHER SWEAT,

HORACE WILLIAMS.

CITY OF ROXBURY.

In Common Council, October 16, 1851.

ORDERED, 1—That the Joint Special Committee on Public Squares, be and they hereby are authorized to purchase, on behalf of the city, such tracts or parcels of land as they may think proper, lying between Tremont and Ruggles streets, and north-east of a line commencing at Ruggles street, near Vernon, thence running to the foot bridge over Stony Brook, and thence across said bridge in a straight line to Tremont street.

ORDERED, 2—That the City Treasurer, under the direction of the Committee on Finance, be and he hereby is authorized to issue the Scrip of the city, to an amount not exceeding Seventy thousand dollars, for a term not exceeding ten years, with interest payable semi-annually, the same to be applied, under the direction of the Joint Special Committee on Public Squares, for the purchase of the aforesaid land, grading the same, and constructing a culvert, to abate the nuisance in Stony Brook, as recommended by the Board of Health.

ACTION OF THE BOARD OF HEALTH.

MAYOR'S OFFICE, CITY OF ROXBURY,
October 13th, 1851.

To the City Council.

GENTLEMEN:—In the month of August last, the City Council requested the opinion of the Consulting Physicians in regard to Stony Brook, near Ruggles-street, so far as it affected the public health. An opinion was given by the Physicians and transmitted to both branches, and was referred to the Board of Health, with the request to take such action in the matter as they might deem necessary.

The Board of Health have given the subject a careful examination, and after hearing the testimony of parties living near, or in the vicinity of the stream, and examining the premises, have declared that Stony Brook, between the bridge on Tremont-street and White's Mill, on Washington street, to be in a state of nuisance, and injurious to the health of the inhabitants of the city, and that it is the duty of this Board to cause the nuisance to be abated forthwith.

The Board of Health are of the opinion that the most effective way of abating this nuisance is to change the course of the stream, from a point near the foot bridge, so called, in a slightly curved line to the arches of the bridge on Tremont-street, and causing the discontinued channel to be filled up. As this cannot be done without the assent of parties interested in the premises, and as their assent is not likely to be obtained,—in accordance with the views of the Board of Health, I respectfully suggest that the property lying between the foot bridge and Tremont and Ruggles streets, be purchased by the city, provided the same can be obtained at reasonable rates, and the plan suggested by the Board carried into execution.

The declaration of the Board of Health, and also their Report upon the best manner of removing the nuisance, will be found in the accompanying documents, to which the attention of the City Council is respectfully directed.

Very respectfully,
Your obedient servant,
SAMUEL WALKER, *Mayor.*

CITY OF ROXBURY.

A PREAMBLE AND DECLARATION.

IN BOARD OF HEALTH,

September 27th, 1851.

Whereas complaints have been made to this Board from time to time, respecting the condition of Stony Brook, in the vicinity of Ruggles street; and whereas the Consulting Physicians of this city, under an order of the City Council, passed August 26th, 1851, have examined the same, and given as their opinion that they consider the present state of said Brook, near Ruggles street, "as decidedly prejudicial to the public health, and demanding the immediate attention of the city authorities;" and whereas this Board having directed the City Marshal to notify persons residing or doing business on or near said stream, to appear before the Board of Health to give in their testimony relative to the condition of the Brook, and the causes of any nuisance or source of filth therein; and the persons so notified, or nearly all of them, did appear before this Board on the afternoon of Saturday, September 20th, 1851, and others by adjournment on the afternoon of Saturday, Sept. 27th, 1851, and gave in their testimony concerning the condition of said Brook, and the causes of any nuisance or source of filth therein; and whereas the Board did on the afternoon of Thursday, September 25th, 1851, visit the premises—to wit—from White's mill, so called, to the bridge on Tremont street, following the course of the stream, and did then and there carefully examine the same:—and the Board do now declare:

That Stony Brook, between the bridge on Tremont street and White's mill, situated on Washington street, is in a state of nuisance, and injurious to the health of the inhabitants of this city, and it is the duty of this Board to cause the said nuisance to be abated forthwith.

ATTEST :

JOSEPH W. TUCKER, *City Clerk.*

CITY OF ROXBURY.

IN BOARD OF HEALTH.

October 10th, 1851.

The Committee appointed to consider and report the best manner of removing the nuisance in Stony Brook, have examined the premises, and carefully considered the subject, and would respectfully

R E P O R T :

They are of the opinion that this nuisance can be abated by contracting the channel to eighteen or twenty feet in width, walling up on each side to a proper height and covering the same, so as to form a culvert, and causing the flats on both sides of this culvert to be filled up; but the uncertainty of ascertaining the true line of the channel, and consequently the exact boundaries of the abutting estates would render this, in some measure, difficult to perform.

Your Committee would therefore suggest that a new channel, commencing from a point near the Foot Bridge, running in a slightly curved line, and terminating at the arches of the Bridge on Tremont Street would much facilitate the discharge of the water by increasing the rapidity of the stream, carrying off all filth that might by any cause find its way into it, and effectually remedy all existing difficulties. This channel should be covered over so as to form a culvert, and the old channel discontinued and filled up. This perhaps might be accomplished if all the parties interested in the property, between the Foot Bridge and Tremont and Ruggles Streets, would consent to it, but as it is not probable they would consent, it would seem desirable that the City should possess this property and carry out this project if it could do so upon fair terms. It is believed that this plan would be the most effectual in abating this nuisance, rem-

edying all difficulties that now exist, and at the same time greatly improve and benefit property in that section of the city.

In accordance with these views, your Committee would recommend, that the land lying between the Foot Bridge and Tremont and Ruggles streets, should be purchased by the city, provided the same can be obtained at reasonable rates, and the plan, as suggested, be then carried into effect.

Your Committee would also recommend that all privies, drains, hog-pens, cow-yards, &c., whose contents find their way into the Brook be removed forthwith, or placed in such a condition so that they should in future conform to the City Ordinances.

SAMUEL WALKER, *Chairman.*

Report read and accepted.

JOSEPH W. TUCKER, *City Clerk.*

